

**REMARKS**

In response to the Office Action dated March 20, 2007, Applicant respectfully requests reconsideration and withdrawal of the rejections of the claims and objections to the disclosure.

**Information Disclosure Statement**

The original filing of the application was accompanied by an Information Disclosure Statement, citing four Japanese patent publications. A review of the published image file wrapper for the application indicates that the four Japanese references have been scanned, but the Information Disclosure Statement itself, and the accompanying form PTO-1449, do not appear to have been included in the electronic file wrapper. In order that the record be complete, a copy of the Information Disclosure Statement that was filed on December 10, 2003, including form PTO-1449, is being submitted herewith. Also submitted is a copy of the postcard receipt for the application with a date stamp of December 10, 2003, which indicates that the original filing was accompanied by an Information Disclosure Statement. The Examiner is respectfully requested to confirm that the four Japanese references have been cited, by initialing and returning a copy of form PTO-1449.

**Objections to the Specification**

In response to the objections appearing at the bottom of page 2 of the Office Action, the appropriate paragraphs on pages 4 and 11 of the specification are being amended, to correct the discrepancies noted in the Office Action. The Examiner is

thanked for his careful review of the specification, and bringing these errors to the Applicant's attention.

With apparent reference to the published version of the application, the Office Action states that there is an inconsistency between paragraph 0059 at line 5, and Figure 1 [sic, Figure 3]. The corresponding paragraph appears in the original application on page 14, beginning at line 21. This paragraph does not contain the discrepancy identified in the Office Action. Rather, it appears to be a printing error that occurred in the publication of the application.

#### Rejection Under 35 U.S.C. §112

Claims 1-11 were rejected under the second paragraph of 35 U.S.C. §112. In response thereto, claims 1 and 7 have been amended in accordance with the construction set forth in the Office Action, to thereby remove the basis for the rejection. In addition, other amendments have been made to the claims, to correct them for matters of form, and otherwise clarify the definition of the invention.

#### Rejection Under 35 U.S.C. §102

Claims 12-14 were rejected under 35 U.S.C. §102, on the basis of U.S. Patent Application Publication No. 2003/0043926 ("Terashima"). It is respectfully submitted that the Terashima reference is not directed to an asynchronous data transmission system, and therefore does not anticipate the subject matter of the currently pending claims.

Referring to Figure 3 of the Terashima reference, it can be seen that both the transmit clock and the receive clock are derived from the same clock signal, CLK.

The transmitting end has a "timing adjusting circuit," to adjust the timing of the CLK signal, based on information obtained from the receiving end. In this type of system, the transmit and receive clocks are always at the same frequency.

In contrast, the rejected claims are directed to an asynchronous data transmitting apparatus, in which the transmit clock and the receive clock are generated independently of one another, with no fixed phase relation. For example, referring to Figure 8 of the present application, it can be seen that the transmit clock CLOCK\_A is generated in the transmitter 10c, and the receive clock CLOCK\_C is generated in the receiver, without reference to the transmit clock. As a result, the transmit clock and the receive clock can be at different frequencies. Thus, the transmitting end and the receiving end are truly asynchronous.

Claim 12 recites an asynchronous data transmitting apparatus that comprises, among other elements, a transmitter that includes a first transmitting unit for transmitting a data signal in accordance with a first clock, and a data receiving unit that receives the data signal in accordance with a second clock. The claim further recites that the first clock and the second clock are generated independently of one another, and the timing of reading received data is controlled on the basis of information from the first clock. It is respectfully submitted that the Terashima reference does not disclose these claimed features, and therefore does not anticipate claim 12. Since claims 13 and 14 depend from claim 12, they are likewise not anticipated.

Rejection Under 35 U.S.C. §103

Claims 15 and 16 were rejected under 35 U.S.C. §103, on the basis of the Terashima reference in view of JP 6-54016 ("Sadami"). These claims depend from claim 12, and therefore incorporate the distinguishing features discussed above. The Sadami reference was cited for its disclosure of a skew correction circuit. It is respectfully submitted, however, that it does not contain any disclosure that overcomes the differences between the subject matter of parent claim 12, and the Terashima reference. For at least this reason, therefore, it is respectfully submitted that claims 15 and 16 are patentably distinct from the references, whether considered individually or in combination.

Conclusion

The indication that claims 1-11 and 17-20 contain allowable subject matter is noted with appreciation. In view of the foregoing remarks, it is respectfully submitted that all pending claims are patentably distinct from the references of record. Reconsideration and withdrawal of the rejections, and allowance of all claims is respectfully requested.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: July 20, 2007

By:   
\_\_\_\_\_  
James A. LaBarre  
Registration No. 28632

P.O. Box 1404  
Alexandria, VA 22313-1404  
703 836 6620